

Notice of Allowability

Application No.

09/844,153

Examiner

Philip B. Tran

Applicant(s)

EYDELMAN ET AL.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 0818/2005.
2. ☒ The allowed claim(s) is/are 3-6, 12-15, 21-24 and 28-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Philip Tran
PHILIP B. TRAN

REASONS FOR ALLOWANCE

1. Terminal Disclaimer filed on 08/18/2005 has been approved as being proper and has been recorded.
2. Claims 3-6, 12-15, 21-24 and 28-32 are allowed.
3. The following is an examiner's statements of reason for allowance:

The examiner has found that the prior art of record does not appear to teach or suggest or render obvious the claimed limitations in combination with the specific added limitations as recited in independent claims and subsequent dependent claims. The prior art of record fails to teach or suggest a method and system for transferring data from a sending application to a receiving application in a computer environment having a plurality of data transfer modes and at least one system area network wherein detecting a transfer behavior of the receiving application comprising transferring in an initial transfer mode from the sending application to the receiving application a pre-selected number of initial data blocks each having a size greater than a pre-selected threshold size including subsequent steps of receiving a transfer request for each initial data block sent by the sending application, sending a pilot message for informing the receiving application that each initial block is available to be sent, detecting whether the receiving application posts a receive buffer when receiving the transfer request for each initial data block or when the receiving application is informed that each data block is available to be sent, and determining whether the receive buffer exceeds the threshold size.

In addition, the prior art of record fails to teach or suggest a method and system for transferring data from a sending application to a receiving application in a computer environment having a plurality of data transfer modes and at least one system area network wherein detecting a transfer behavior of the receiving application comprising combination of features of detecting if the receiving application posts receive buffers smaller than a threshold size when the receiving application receives a transfer request or when the receiving application is informed that each data block is available to be sent, sending the data in at least one message having an initial buffer size, if a number of fragmentations of data exceeds a threshold level during a time when a predetermined number of messages is sent then performing subsequent steps of sending a resize request message having a requested buffer size to the receiving application, receiving a new buffer size from the receiving application, and sending data to the receiving application in a data size equal to the new buffer size.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip B. Tran whose telephone number is (571) 272-3991. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Philip B. Tran
Art Unit 2155
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